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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4436 OF 2007

Shri Buwasaheb Sahebrao Khatal ... Petitioner

V/s.

Bhogwati Sahakari Sakhar Karkhana Ltd. ... Respondent

Mr.Amit Sale for Petitioner

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JULY 11, 2007**

P.C.:

. The Petition has been filed seeking backwages. According to the learned advocate for the petitioner, an order passed initially that the enquiry held against the workman was not fair and proper and, therefore, he should have been paid backwages. However, the Labour Court and the Industrial Court have found that there are no averments in his application filed under section 78 of the Bombay Industrial Relations Act that he was unemployed after his services were terminated. This pleading is necessary before the Labour Court and the Industrial Court to decide whether the workman is entitled to backwages. There is no need to interfere with the order. Petition rejected.